

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1651. Adulteration of dressed turkeys. U. S. v. 2 Barrels of Dressed Turkeys. Default decree of condemnation and destruction. (F. D. C. No. 3460. Sample No. 31224-E.)

Examination showed the presence of diseased and improperly bled turkeys in this shipment.

On December 2, 1940, the United States attorney for the Northern District of Illinois filed a libel against 2 barrels of dressed turkeys at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 15, 1940, by Goodrich & Searcy from Cresco, Iowa; and charging that the article was adulterated in that it was in whole or in part the product of diseased animals or of animals which had died otherwise than by slaughter.

On January 28, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1652. Adulteration of turkeys. U. S. v. 2 Barrels of Turkeys. Default decree of condemnation and destruction. (F. D. C. No. 3420. Sample No. 34474-E.)

Examination showed the presence of diseased turkeys.

On November 20, 1940, the United States attorney for the Southern District of New York filed a libel against two barrels of turkeys at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about November 6, 1940, by Valley Produce Co. from Timberville, Va.; and charging that it was adulterated in that it was in whole or in part the product of diseased animals.

On December 17, 1940, no claimant having appeared, judgment of condemnation and destruction was entered. On December 30, 1940, the decree was amended to permit delivery of a sample of the poultry to this Agency.

1653. Misbranding of canned boned chicken. U. S. v. 25 Cases of Canned Chicken. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 2742. Sample No. 32039-E.)

Examination of various samples of this product showed that it contained from 67.9 percent to 82.6 percent by weight of drained meat; whereas canned boned chicken should contain not less than 90 percent by weight of drained meat. It consisted of chicken meat and broth and was not labeled to indicate that fact.

On September 3, 1940, the United States attorney for the Southern District of California filed a libel against 25 cases of canned boned chicken at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about July 17, 1940, by the Mione Packing Co. from McMinnville, Oreg.; and charging that it was misbranded. The article was labeled in part: (Cans) "Iris Brand Fancy Boned Chicken * * * Haas, Baruch & Co., Los Angeles, Calif., Distributors."

The article was alleged to be misbranded in that its container was so filled as to be misleading since it did not contain the quantity of chicken meat expected, less than 90 percent of drained meat being present; and in that it was fabricated from two or more ingredients and the label did not bear the common or usual name of each ingredient.

On September 23, 1940, the Mione Packing Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the product was ordered released under bond conditioned that it be properly relabeled.

1654. Misbranding of chicken soup. U. S. v. 54 Cases of Chicken Soup. Default decree of condemnation and destruction. (F. D. C. No. 3418. Sample No. 55357-E.)

This product was found to be short of the declared weight and to contain undeclared artificial flavoring; and its label also failed to bear the common or usual name of each ingredient.

On November 19, 1940, the United States attorney for the Western District of Washington filed a libel against 54 cases, each containing 48 cans, of chicken soup at Seattle, Wash., alleging that the article had been shipped in interstate commerce from Portland, Oreg., by Stidd's, Inc., on or about June 13, 1940; and charging that it was misbranded. It was labeled in part: "Stidd's Concentrated Chicken Soup * * * contents 11 oz. avoirdupois."

The article was alleged to be misbranded in that (1) the statement "Contents 11 oz. avoirdupois" was false and misleading, since it was incorrect; (2) it was in